



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

FEB - 4 2013

Donald Ferguson, Treasurer
Friends of Congressman Steve Stockman
PO Box 57135
Webster, TX 77539

RE: MUR 6625

Dear Mr. Ferguson:

On August 15, 2012, the Federal Election Commission notified you and Friends of Congressman Steve Stockman (the "Committee") of a complaint designated MUR 6625 alleging violations of the Federal Election Campaign Act of 1971, as amended (the "Act"), and a copy of the complaint was forwarded to you. On November 29, 2012, the Commission received a response to the complaint. While we believe that you and the Committee submitted this response — the return address on the envelope accompanying the response is the same as the Committee's — the content of the letter does not explicitly identify the person or persons making the submission. Please confirm that the response was sent by you, or by your representative with your authorization, and that it represents your official response to the complaint filed in this matter. If the response also represents the official response of any other persons mentioned in the complaint, please identify those persons as well.

Prior to making any recommendations to the Commission, we offer you an opportunity to clarify the response that we believe you submitted. Specifically, we invite you to clarify the location of the disclaimer on the "Southeast Texas Courier" communication referenced in Item one of the response. Response at 1. The response states that this communication included a disclaimer "clearly printed on the document." *Id.* The response also states that this communication, like other communications at issue in this matter, "is openly displayed at the bottom of the back page of the newspaper and readable without opening the newspaper." *Id.* Our review of the "Southeast Texas Courier" communication does not identify a disclaimer on the bottom of the back page as described in the response or any other location.

Additionally, we are considering the attached publicly available information regarding the disseminated communications referenced in the complaint. See Terri Langford, *Stockman defeats Takach in Dist. 36*, HOUSTON CHRONICLE (July 31, 2012) (modified August 1, 2012). According to this article, Congressman Steve Stockman confirmed that more than 400,000 copies of the mailers were mailed out in the new district where the relevant election was held. We are providing you with the additional information so that you may supplement your submission by responding to it, if you so choose. Any response on your part is entirely

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voluntary. Should you choose to respond, please do so within 10 days of receipt of this letter. We will thereafter continue our consideration of these matters based on the information available to us. These matters will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

If you have any questions, please contact Roy Q. Luckett, the attorney handling this matter, at (202) 694-1650.

Sincerely,



Susan L. Lebeaux
Assistant General Counsel

Attachment

Article - Terri Langford, *Stockman defeats Takach in Dist. 36*, HOUSTON CHRONICLE
(July 31, 2012) (modified August 1, 2012).

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Stockman defeats Takach in Dist. 36

By Terri Langford | July 31, 2012 | Updated: Aug 01, 2012 1:07am

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STEVE STOCKMAN U.S. REP DIST 22

One-time congressman Steve Stockman appeared one step closer to a return to Washington Tuesday, beating Baytown accountant Stephen Takach for the Republican nomination in the District 36 race.

"We're waiting to see the final numbers," Stockman said earlier in the evening. "I rather be in my position than his position."

Takach, could not be immediately reached for comment.

Stockman, 55, served one term in Congress, after pulling off a stunning defeat of U.S. Rep. Jack Brooks, D-Beaumont. Stockman was part of a Republican sweep into Congress in 1994, led by Newt Gingrich.

The runoff winner faces Democrat Max Martin, a retired professional pilot, in November.

In the May primary, Stockman finished 358 votes behind Takach.

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As late as Tuesday afternoon, Stockman believed he was the underdog.

"We didn't have a lot of money," he said while working a polling station in Pasadena. "The slicks (pamphlets) he's (Takach) put out are over 50 cents a piece. We don't have that kind of money. He could still win. He bought name recognition."

One of 4 new districts

Instead, Stockman opted for lower-grade campaign fliers made to look like tabloid newspapers but bearing the names of fictional publications: "The Southeast Texas Courier" and the "Times Free Press." The papers bear headlines like "Gunweavers Furtious as Takach sides with 'gun grabbers'" or "Stephen Takach drove family friend into bankruptcy." More than 400,000 were mailed out in the new district, Stockman said.

District 36 is one of four new Texas congressional districts based on data from the 2010 Census. The 36th Congressional District is made up of eight counties and part of a ninth: Chambers, Hardin, Jasper, Liberty, Newton, Orange, Polk, Tyler, plus portions of southeastern Harris County.

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